

1-02-08

10/507,382

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JFW

Attn: Paul W. Dickinson  
Art Unite 1609  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450



Date: December 28, 2007

**Reply to USPTO office action**

**Application No.:** 10/507,382  
**Applicant's Reference:** MGC020325

**Date of USPTO office action:** October 2, 2007

**Reply Due Date:** January 2, 2008

Applicant respectfully acknowledges the professional examination of the application.  
Applicant also appreciates the opportunity to provide a response to the actions the office took.

**A. Election/Restrictions**

Applicant acknowledges that the office is making a final decision on the election requirement.

**B. Claim Rejection - 35 USC § 112**

Claims 4 is rejected under 35 U.S.C. 112 as a broad range or limitation together with a narrow range or limitation that fall within the broad range or limitation (in the same claim) is considered indefinite.

Applicant acknowledges the office's opinions and would like to divide Claim 4 into two claims. The proposed new claims are:

- The pharmaceutical composition according to Claims 3, characterized by weight ratio of metformin or of its pharmaceutically acceptable form to gemfibrozil ranges from 1:0.1 to 1:10.
- The pharmaceutical composition according to Claims 3, characterized by weight ratio of metformin or of its pharmaceutically acceptable form to gemfibrozil preferably ranges from 1:0.5 to 1:2.

Claims 8 is rejected under 35 U.S.C. 112 as the phrase "administered...at about the same time" in claim 8 is vague and indefinite.

Applicant acknowledges the office opinions and would like to modify Claim 8. The proposed new claims is: